

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

DAVID M. FRIEDMAN et al,  
On behalf of all others  
similarly situated,

NO. CIV. 2:00-101 WBS DAD

ORDER

Plaintiffs,

v.

CALIFORNIA STATE EMPLOYEES  
ASSOCIATION, et al.,

Defendants.

-----oo0oo-----

The court has received and considered the parties' stipulation and proposed order regarding plaintiff's motion for approval of class notice of motion for award of attorneys' fees, together with defendants' Notices of Non-Opposition (Docket Nos. 278, 284-86). The court has the following concerns:

1. The proposed class notice (Docket No. 278) states that objections to the motion for attorneys' fees should be "postmarked no later than **July 2, 2010**" (Id. 3:24) and that the objections must also be "received by Class Counsel on or before July 2, 2010." (Id. 4:2.)

1 The identical "postmarked by" and "received by"  
2 requirements create ambiguity as to what an objecting  
3 class member's responsibility is with respect to timely  
4 objection.

5 2. Page 2, line 22 of the proposed class notice  
6 should be corrected to "Federal Rule of Civil  
7 Procedure."

8 3. The court would like to have a supporting  
9 declaration by a competent official that states the  
10 date by which the class notice and disbursement of  
11 nominal damages will be mailed to class members.

12 Accordingly, within twenty days from the date of  
13 this Order, the parties shall submit proposed class notice  
14 and supporting declaration modified to address the above  
15 concerns.

16 IT IS SO ORDERED.

17 DATED: April 20, 2010

18 

19 WILLIAM B. SHUBB

20 UNITED STATES DISTRICT JUDGE  
21  
22  
23  
24  
25  
26  
27  
28